



PLEASE REPLY TO:
LONG ISLAND OFFICE
20 WEST MAIN STREET
BAY SHORE, NY 11706
Tel: (631) 969-3100
Fax: (631) 969-3101

November 16, 2009

United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, New York, 10601
Att: Clerk of the Court

**Re: William Byrd Whymark & Katherine Elizabeth
Whymark dba J&E Builders, Inc.
Loan No.: 1008671511
Case No.: 09-23815
Our File No.: 29644-B**

Dear Clerk of the Court:

This firm represents the secured creditor, OneWest Bank, FSB (“OneWest”), regarding the Motion for Relief from Automatic Stay filed on November 16, 2009, returnable on January 11, 2010, at 10:00 a.m. This letter is to inform the court that OneWest waives its right, pursuant to 11 U.S.C. §362(e), to have its motion heard within thirty days of filing.

Kindly mark your calendar accordingly.

Very truly yours,
Frenkel, Lambert, Weiss, Weisman & Gordon, LLP

BY: /s/Jessica Spiegelman
Jessica Spiegelman, Paralegal

cc: David Waltzer, Esq., Attorney for Debtor
Marianne T. O’Toole, Trustee